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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/174,461	10/19/1998	KATSUMI IJIMA	35.C13021	5700

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EXAMINER

LEE, RICHARD J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 01/08/2004

2A

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/174,461

Applicant(s)

IIJIMA ET AL.

Examiner

Richard Lee

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 25-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2613

1. The request filed on October 22, 2003 for a Request for Continued Examination (RCE) is acceptable and a RCE has been established. An action on the RCE follows.
2. The Examiner wants to point out that the applicants' arguments from the amendment filed August 22, 20003 have been noted, considered, and addressed in the following grounds of rejection.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 and 25-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Moreton et al of record (5,835,133).

Moreton et al discloses an optical system for single camera stereo video as shown in Figures 2A, 3-5, 8A-8C, and the same camera and method for image pickup by a camera as claimed in claims 1-7 and 25-31, comprising the same plurality of image pickup means (90 of Figure 2A, the optical paths of receiving left/right images) for picking up a plurality of images of an object, respectively; display means (330 of Figures 8A-8C) for displaying images picked up by the plurality of image pickup means; recording means (see column 3, line 14, column 6, lines 59-62, column 11, lines 31-49, column 12, lines 21-57) for recording the images picked up by the plurality of image pickup means on a recording medium; memory means (720 of Figure 8C, see column 12, lines 58-67) arranged both as a buffer of the display means for displaying the images picked up by the plurality of image pickup means, and as a buffer of the recording means

Art Unit: 2613

for generating a recording signal from the images picked up by the plurality of image pickup means (i.e., memory means 720 of Figure 8C acts as a buffer of the recording means derived from 705 for generating stereo recorded video (see column 3, line 14, column 6, lines 59-62, column 11, lines 31-49, column 12, lines 21-57), thereby generating a recording signal from the images picked up by the plurality of image pickup means); wherein when a plurality of the memory means are used for displaying an image picked up by the plurality of image pickup means, some of the plurality of memory means are used for a write operation and the others of the plurality of memory means are used for a read operation by switching between the write and read operations, whereby the plurality of memory means are used as a double buffer, and wherein when a plurality of the memory means are used for recording an image picked up by the plurality of image pickup means, all of the plurality of memory means are used for write operation in order to record each image picked up by the plurality of image pickup means, and after the write operation is completed, all of the plurality of memory means are used for read operation (i.e., as provided by 720 of Figure 8C, see column 12, lines 58-67); wherein the image is written in the double buffer in normal form and the image is read out from the double buffer in inverted form, wherein the image is written in the double buffer in inverted form and the image is read out from the double buffer in normal form, wherein the image is recorded in normal form when all of the plurality of memory means are used for write operation, and the image is read out in inverted form from all of the plurality of memory means after the recording is completed, wherein the image is recorded in inverted form when all of the plurality of memory means are used for write operation, and the image is read out in normal form from all of the plurality of memory means after the recording is completed (i.e., in Moreton et al, inverted read/write

Art Unit: 2613

operation is dependent upon whether reflector pairs 30a, 30b of Figures 3-5 are used. Without the reflector pairs, images are read in inverted form (inherent). With the reflector pairs, images are read in normal fashion since the images are inverted by the reflector pairs. Writing in inverted or normal fashion is directly dependent on whether images are read in inverted or normal fashion.)

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.


RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

1/6/04